IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 941 OF 2007

Ms. SAMINA SHAIKH & ANR. .. PETITIONERS

Vs.

STATE OF MAHARASHTRA & ORS. .. RESPONDENTS

Mr. Rajendra Sorankar for petitioners
Mr.S.R. Borulkar, PP with A.S.Gadkari, APP
Mr. Prakash Naik for R-4 to 9

CORAM: SMT. RANJANA DESAI &
D. B. BHOSALE, JJ.
DATED:-28/6/2007

P.C.:-

. As directed by us Mr. Pathan, Senior Inspector of Police attached to Nagpada Police Station has filed affidavit in this court indicating the measures which the police are desirous of taking to prevent such occurrences in future and what action they have actually taken in the concerned area. The relevant paragraphs of the affidavit may be quoted:

> "2. I say that the police authorities have realized that there should not be any hindrance or interference in prosecuting the studies by this girls in the locality. In order to prevent such occurrences, the police station has undertaken 4 measures viz. (1)

Vigilance; (2) Helpline; (3) Meetings of Mohalla Committee and (4) Counsellings.

3. I say that with regard to the vigilance, it is decided that the police personal in plain clothes will do rounds of the locality and they will try to receive advance information with regard to any such act or tendency entertained by any person in the locality. After receipt of this vigilance report, the Senior officers of the police station will immediately take action against persons who are indulging in such activities.

4. With regard to the helpline, the police station special telephone No. 23078109 will be displayed in the prominent places in the locality. This will facilitate any aggrieved person to contact the police station for redressal of his grievance. The police personnel who will be attending the helpline will maintain the special register and record the complaints and immediately forward the same for proper action to bit officers on duty.

5. I say that with regard to Mohalla Committee Meetings, it is decided that every

bit officer as far as possible shall hold Mohalla Committee Meeting will be held once in a month which will be, if necessary attended by Assistant Commissioner of Police and Deputy Commissioner of Police. In this Meeting the police will associate other eminent members of the society having academic excellence or having experience in the social service. These experts will be invited to address the meeting and impress upon gathering the importance of education for every citizen and particularly women.

6. I say that, if it is noticed by the police station that any individual is indulging in the activities which are prejudicial for prosecuting the education by women apart from the penal action, the department will take assistance of counsellors for bringing change in the opinion of such person.

7. I say that on 26/6/2007 Mohalla Committee meeting was held in each bit. On the same day Mohalla Committee Meeting was held in Bit No. 3. The petitioners are residing within the jurisdiction of bit No. 3 of Nagpada Police Station. This Meeting was attended by Shri Manoj Lohia, Deputy Commissioner of Police,

Shri Raje Bhosale, Assistant Commissioner of Police, Senior Inspector of Police, Nagpada Police Station and other police officers. This meeting was attended by eminent persons from the locality. Shri Tahir Ashraf, former Chairman of Minority Commission, Shri Ayub Pian Ansari, Ex-Corporator and other respected persons from the locality were present. Mr. Tahir Ashraf in his speech expressed importance of education and stated that children from their community should take education should try to become IAS and IPS Officer. I say that petitioners and her relatives were present in the meeting. I say that Respondent Nos. 5 and 6, relatives of Respondent No. 4 were also present in the meeting. In the said meeting dignitary distributed prizes to the students who were present for their excellence in Xth and XIIth examination. Hereto annexed and marked as Exhibit "A" is the copy of the minutes of Mohalla Committee Meeting held on 26/6/2007".

2. We note the presence of the 1st petitioner Ms. Samina Shaikh and respondent Nos. 4, 5 & 6 in court today. We also note the presence of Mr. A. A. Pathan, Senior Inspector of Police, in this court today.

3. We note our appreciation of the stand taken by the police. We hope and trust that the police will abide by the statements made by Mr. Pathan in his affidavit.

4. In view of this affidavit and earlier affidavit filed by the respondents, Mr. Sorankar, the learned counsel for the petitioner states that he does not wish to press the prayer for transfer of investigation.

5. In view of the above, no further orders are necessary on this petition.

6. At the request of the learned counsel appearing for the parties, we direct Mr. S. R. Borulkar, learned Public Prosecutor to forward a copy of this order to the Director General of Police, who may in turn forward it to all the police stations as and when necessary.

7. We make it clear that so far as pending case is concerned, we have not expressed any opinion on that and the law will take its own course.

8. Petition is disposed of.

JUDGE.

JUDGE.